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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,614	10/30/2000	William Silver	C00-057	7066
23459	7590	02/27/2004		
ARTHUR J. O'DEA LEGAL DEPARTMENT COGNEX CORPORATION ONE VISION DRIVE NATICK, MA 01760-2077			EXAMINER LE, BRIAN Q	
			ART UNIT 2623	PAPER NUMBER 8
DATE MAILED: 02/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/699,614	SILVER, WILLIAM	
	Examiner	Art Unit	
	Brian Q Le	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01/29/2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-5, and 8-10 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 6-7, 11-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 October 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Response to Amendment and Arguments

1. Applicant's amendment filed January 29, 2004, has been entered and made of record.
2. The objection to the specification and claims regarding "non-zero spiral" term is withdrawn.
3. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purpose. When the application is allowed, applicant will be required to submit new formal drawings on separate sheet, starting from page 1.
4. Applicant's arguments with regard to claims 1-18 have been fully considered, but are not considered persuasive because of the following reasons:

For claims 11 and 15, the Applicant argues (top of page 6) that the reference taught by Michael does not disclose the limitation of "at least one of the plurality of blades having the non-zero skew and non-zero spiral. The Examiner respectfully disagrees. Michael teaches "at least one of the plurality of blade" (FIG. 1A – 1D) aligned at different position/angle of the coordinate. He also discloses that the plurality of blades rotate (360 degree) (column 9, lines 64-67 and column 10, lines 1-15) which implicitly result the non-zero spiral and non-zero skew as disclosed by the specification (FIG. 14 and FIG. 15).

Regarding claims 6 and 7, the Applicant argues that McCarthy teaches a different blade object in the alignment and inspection field. However, both of the references are still in the same field of endeavor, machine vision alignment/rotation on targets. In addition, the Applicant argues (bottom of page 6) that McCarthy teaches that at least one blade in a plurality of blades of a target including at least one hole, can be located to provide a pose of an object bearing the

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target. First, the exact language “can be located to provide a pose of an object bearing the target” was not described in the claim 6. Second, the Examiner does not use McCarthy to teach the concept of “rendering a target on the object and provide a pose of the object”. The Examiner uses Michael teach this concept as discussed in the previous Office Action. In addition, McCarthy clearly teaches this limitation (abstract; FIG. 5; Summary of the invention; column 3, lines 7-24).

Thus, the rejections of all of the claims are maintained.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 11-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Michael U.S. Patent No. 6,137,893.

Regarding claim 11, Michael teaches a method of locating an object (Abstract, last 4 lines) comprising:

Rendering a target on the object (image generation) (FIG 4, element 106), the target characterized by a fan shape (FIG. 1B-1D);

The target having a plurality of blades (FIG. 1B-1D);

At least one of the plurality of blades having a non-zero skew (FIG. 1B-1D); and searching for the target so as to provide a pose of the object (column 9, lines 64-67 and column 10, lines 1-15).

Searching for the target so as to provide a pose (location/position/orientation) of the object (Abstract, last 2 lines).

Regarding claim 12, Michael teaches the method further comprising the skew of the at least one of the plurality of blades is different from a skew of at least one other blade in the plurality of blades (FIG. 1C).

Regarding claim 13, Michael teaches the method further comprising the skew of the at least one of the plurality of blades being different from a skew of all the other blades in the plurality of blades (FIG. 1C).

Regarding claim 14, Michael teaches the method wherein each of the plurality of blades having a skew different from the skew of all other blades in the plurality of blades (FIG. 1C).

Regarding claim 15, please refer to claim 11 for the explanation. In addition, Michael teaches a method wherein at least one of the plurality of blades having a non-zero spiral (FIG. 1C) (column 9, lines 64-67 and column 10, lines 1-15).

For claim 16, Michael also discloses the method comprising the spiral (pattern) of the at least one of the plurality of blades being different from a spiral of at least one other blade in the plurality of blades (FIG. 1C).

Regarding claim 17, Michael teaches the method further comprising the spiral of the at least one blade in the plurality of blades being different from the spiral of all other blades in the plurality of blades (FIG. 1C).

For claim 18, Michael further teaches the method wherein each of the plurality of blades having a spiral different from the spiral of all other blades in the plurality of blades (FIG. 1C).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael U.S. Patent No. 6,137,893 and further in view of McCarthy U.S. Patent No. 5,125,035.

Regarding to claim 6, please refer back to claim 1 for the explanation. Michael does not disclose a concept of a blade with a hole. McCarthy teaches a system to target object (abstract) comprises a blade target with hole (column 2, lines 8-41) (abstract; FIG. 5; Summary of the invention; column 3, lines 7-24). Modifying Michael's method of locating object according to McCarthy would able to allow blade with hole so the image's centroid position can be determined and corrected (column 2, lines 35-42). This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Michael according to McCarthy.

Regarding claim 7, McCarthy further discloses the method wherein each of the plurality of blades includes at least one hole (turbine engine blades all have holes to cool all the blades off) (column 2, lines 7-11).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

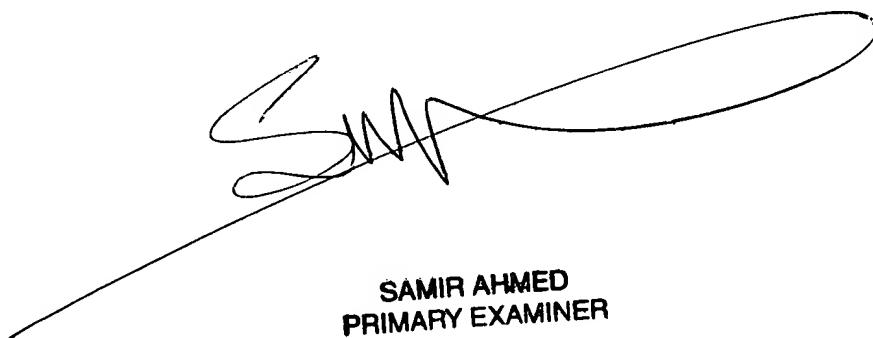
Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Q Le whose telephone number is 703-305-5083. The examiner can normally be reached on 8:30 A.M - 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703-308-6604. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5397 for regular communications and 703-308-5397 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

BL
February 6, 2004



SAMIR AHMED
PRIMARY EXAMINER